

Ferree, Melissa A. (DNREC)

From: Corash, Michele <MCorash@mofo.com>
Sent: Friday, February 20, 2015 2:30 AM
To: Marker, Nancy C. (DNREC); Ormond, David (DOJ); 'joe.tavi@bloomenergy.com'
Cc: JAnthony, Karen (DNREC); Ferree, Melissa A. (DNREC)
Subject: RE: Bloom Energy Corporation
Attachments: DE Manifests.pdf

Dear Nancy,

To get the ball rolling, I am sending you the manifests for every shipment of desulfurization canisters subsequent to receipt by Bloom of DNREC's December 9, 2014 letter regarding the canisters. As you are aware, before that time, Bloom managed these as MPUs and, as a result, the waste was not manifested until the canisters had been shipped off site and opened outside Delaware. In accordance with the terms of the Temporary I.D., there has been only one shipment for each of the four sites at which Bloom servers are located. All shipments were on January 13, 2015, once the temporary IDs were secured. Since that time, there have been no shipments or other canister movements.

As regards the number of canisters in an IOM, there are four. One of the first step in producing electricity is the desulfurization of the natural gas, which passes through each of three of the four canisters. The fourth is a stand-by or back-up canister which is there in the event one of the three operating canisters malfunctions. This was depicted in one of the photos which we showed you during our meeting, but then collected again out of intellectual property concerns. They are clustered together but are, essentially independent. Each one does its job - or stands by to do the job.

More to come.

Michèle

From: Marker, Nancy C. (DNREC) [<mailto:Nancy.Marker@state.de.us>]
Sent: Thursday, February 19, 2015 7:53 AM
To: Corash, Michele; Ormond, David (DOJ); 'joe.tavi@bloomenergy.com'
Cc: JAnthony, Karen (DNREC); Ferree, Melissa A. (DNREC)
Subject: RE: Bloom Energy Corporation

Michele,

We appreciate Bloom inviting us for a tour of the Newark, DE facility on February 18, 2015 and further explaining to us Bloom's green energy mission. We received a great bird's-eye view of the assembly area of the facility from the 2nd floor viewing area. Unfortunately, we were not afforded the opportunity to walk through the assembly area or tour the facility up-close. We also did not have the opportunity to further understand Bloom's waste handling and recycling practices at the Newark facility as the Bloom representatives with this knowledge were not present during the tour.

Bloom explained to us that the Newark facility has no involvement with spent desulfurization units. Bloom did show us a desulfurization unit being installed and this was very interesting to see. We were especially surprised to see that the unit was actually comprised of four separate canisters, as this is in conflict with information provided to us in the past.

As previously discussed, we look forward to receiving your response to us regarding the regulatory status of the used desulfurization canisters on the morning of February 23, 2015. This response is also to include an analysis of how much waste is generated from the replacement of desulfurization canisters, at what frequency the canisters are replaced, and copies of the manifests associated with recent shipments of the spent desulfurization media.

Sunny and 15 degrees here today. We can only dream of 75 degrees.

Thank you for your continued involvement,

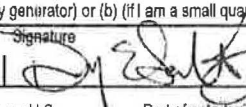
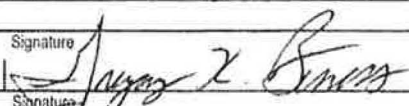
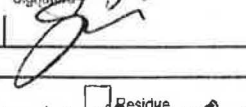
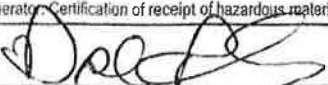
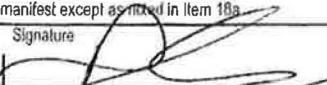
Nancy Marker

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UNIFORM HAZARDOUS WASTE MANIFEST		1. Generator ID Number DEP000002045	2. Page 1 of 12	3. Emergency Response Phone 800-833-8253	4. Manifest Tracking Number 014135604 JJK	
5. Generator's Name and Mailing Address Bloom Energy Corporate 1299 Orleans Drive Sunnyvale CA 94089			Generator's Site Address (if different than mailing address) Att: Sam Ghezavat Diamond State Generation Partners, LLC/Red Lion 1493 4593 River Road New Castle DE 19720			
6. Transporter 1 Company Name Maumee Express Inc.			U.S. EPA ID Number NJD086607380			
7. Transporter 2 Company Name VLS Recovery Services			U.S. EPA ID Number TXR000082015			
8. Designated Facility Name and Site Address US Ecology 3277 County Road 89 Robs Town TX 78380			U.S. EPA ID Number TXD069452340			
Facility's Phone: 361 387-3518						
GENERATOR	9a. HM	9b. U.S. DOT Description (including Proper Shipping Name, Hazard Class, ID Number, and Packing Group (if any))	10. Containers No. Type	11. Total Quantity	12. Unit Wt./Vol.	13. Waste Codes
		1. HA3077, Hazardous waste solid, n.o.s (benzene), 9, PGII	022 BA 1 CM	26.400	P	D018 MT3H
		2.				
		3.				
		4.				
14. Special Handling Instructions and Additional Information Box # V-717 (E) 0900 87131-1 ERQ #171						
15. GENERATOR'S/OFFEROR'S CERTIFICATION: I hereby declare that the contents of this consignment are fully and accurately described above by the proper shipping name, and are classified, packaged, marked and labeled/placarded, and are in all respects in proper condition for transport according to applicable international and national governmental regulations. If export shipment and I am the Primary Exporter, I certify that the contents of this consignment conform to the terms of the attached EPA Acknowledgment of Consent. I certify that the waste minimization statement identified in 40 CFR 262.27(a) (if I am a large quantity generator) or (b) (if I am a small quantity generator) is true.						
Generator's/Offoror's Printed/Typed Name DANNY SALTER Signature <i>[Signature]</i> Month Day Year 01/13/15						
16. International Shipments <input type="checkbox"/> Import to U.S. <input type="checkbox"/> Export from U.S. Port of entry/exit: Date leaving U.S.:						
17. Transporter Acknowledgment of Receipt of Materials						
Transporter 1 Printed/Typed Name Derek Hume Signature <i>[Signature]</i> Month Day Year 1/13/15						
Transporter 2 Printed/Typed Name Quinten CAZARES Signature <i>[Signature]</i> Month Day Year 01/14/15						
18. Discrepancy						
18a. Discrepancy Indication Space <input checked="" type="checkbox"/> Quantity <input type="checkbox"/> Type <input type="checkbox"/> Residue <input type="checkbox"/> Partial Rejection <input type="checkbox"/> Full Rejection Our weight is 8620 pounds, and add outs 409 H for section 13 all per Quince series						
18b. Alternate Facility (or Generator) Manifest Reference Number: U.S. EPA ID Number						
Facility's Phone: Month Day Year						
18c. Signature of Alternate Facility (or Generator) Month Day Year						
19. Hazardous Waste Report Management Method Codes (i.e., codes for hazardous waste treatment, disposal, and recycling systems)						
1. H132 2. 3. 4.						
20. Designated Facility Owner or Operator: Certification of receipt of hazardous materials covered by the manifest except as noted in Item 18a						
Printed/Typed Name Del Signature <i>[Signature]</i> Month Day Year 1/28/15						

EPA Form 8700-22A (Rev. 3-05) Previous editions are obsolete.

DESIGNATED FACILITY TO DESTINATION STATE (IF REQUIRED)

UNIFORM HAZARDOUS WASTE MANIFEST		1. Generator ID Number DEP000002048		2. Page 1 of 12	3. Emergency Response Phone 800-833-8253		4. Manifest Tracking Number 014135601 JJK						
		5. Generator's Name and Mailing Address Bloom Energy Corporate 1299 Orleans Drive Sunnyvale CA 94089 Generator's Phone: 408 203-8885				Generator's Site Address (if different than mailing address) Diamond State Generation Partners, LLC/Brookside 512 East Chestnut Hill Road Newark DE 19713							
GENERATOR		6. Transporter 1 Company Name Maumee Express Inc.				U.S. EPA ID Number NJD988607380							
		7. Transporter 2 Company Name VLS Recovery Services				U.S. EPA ID Number TXR000082015							
DESIGNATED FACILITY		8. Designated Facility Name and Site Address US Ecology 3277 County Road 69 Robb Town TX 79380 Facility's Phone: 361 387-3518				U.S. EPA ID Number TXD0089452340							
		9a. HM X				9b. U.S. DOT Description (including Proper Shipping Name, Hazard Class, ID Number, and Packing Group (if any)) 1. NA3077, Hazardous waste, solid, n.o.s. (Benzene) 9, PGIII		10. Containers No. 208 Type BA CM		11. Total Quantity 9,600 P		12. Unit Wt./Vol. P	
TRANSPORTER		14. Special Handling Instructions and Additional Information 1)(S.E) ERG#171 / DIU - Box # V-717 090089(34-1)											
		15. GENERATOR'S/OFFEROR'S CERTIFICATION: I hereby declare that the contents of this consignment are fully and accurately described above by the proper shipping name, and are classified, packaged, marked and labeled/placarded, and are in all respects in proper condition for transport according to applicable International and national governmental regulations. If export shipment and I am the Primary Exporter, I certify that the contents of this consignment conform to the terms of the attached EPA Acknowledgment of Consent. I certify that the waste minimization statement identified in 40 CFR 262.27(a) (if I am a large quantity generator) or (b) (if I am a small quantity generator) is true.											
INTL		Generator's/Officer's Printed/Typed Name DANNY SALTER Signature  Month 11 Day 11 Year 15											
		16. International Shipments: <input type="checkbox"/> Import to U.S. <input type="checkbox"/> Export from U.S. Port of entry/exit: _____ Date leaving U.S.: _____											
DESIGNATED FACILITY		17. Transporter Acknowledgment of Receipt of Materials Transporter 1 Printed/Typed Name Gregory K. Bress Signature  Month 11 Day 13 Year 15 Transporter 2 Printed/Typed Name Quinten Casarez Signature  Month 11 Day 14 Year 15											
		18. Discrepancy 18a. Discrepancy Indication Space <input type="checkbox"/> Quantity <input type="checkbox"/> Type <input type="checkbox"/> Residue <input type="checkbox"/> Partial Rejection <input type="checkbox"/> Full Rejection The correct regulatory code is out 4096 for Section 13 per Quinten Casarez at VLS Manifest Reference Number: _____											
DESIGNATED FACILITY		18b. Alternate Facility (or Generator) Facility's Phone: _____ U.S. EPA ID Number _____											
		18c. Signature of Alternate Facility (or Generator) _____ Month _____ Day _____ Year _____											
DESIGNATED FACILITY		19. Hazardous Waste Report Management Method Codes (i.e., codes for hazardous waste treatment, disposal, and recycling systems) 1. H132 2. _____ 3. _____ 4. _____											
		20. Designated Facility Owner or Operator Certification of receipt of hazardous materials covered by the manifest except as noted in Item 18a Printed/Typed Name  Signature  Month 11 Day 29 Year 15											

UNIFORM HAZARDOUS WASTE MANIFEST (Continuation Sheet)		21. Generator ID Number DEP000002046	22. Page 2	23. Manifest Tracking Number 014135601 SJL		
24. Generator's Name Bloom Energy Corp 1299 Orleans Ave Sunnyvale, CA 94089						
25. Transporter <u>3</u> Company Name BCS Resources		U.S. EPA ID Number TXL000080044				
26. Transporter <u>4</u> Company Name TRIAD		U.S. EPA ID Number OK0981588291				
27a. HM	27b. U.S. DOT Description (including Proper Shipping Name, Hazard Class, ID Number, and Packing Group (if any))	28. Containers		29. Total Quantity	30. Unit Wt./Vol.	31. Waste Codes
		No.	Type			
	For TRAIL ONLY					
32. Special Handling Instructions and Additional Information VIA VLS for Repackaging						
33. Transporter <u>3</u> Acknowledgment of Receipt of Materials						
Printed/Typed Name JUNIOUS L. PURRY		Signature JUNIOUS L. PURRY		Month Day Year 11 23 15		
34. Transporter <u>4</u> Acknowledgment of Receipt of Materials						
Printed/Typed Name Whit Davis Jr		Signature Whit Davis Jr		Month Day Year 11 28 15		
35. Discrepancy						
36. Hazardous Waste Report Management Method Codes (i.e., codes for hazardous waste treatment, disposal, and recycling systems)						

UNIFORM HAZARDOUS WASTE MANIFEST		1. Generator ID Number DEP000002044		2. Page 1 of 12		3. Emergency Response Phone 800-633-8253		4. Manifest Tracking Number 014135603 JJK		
		5. Generator's Name and Mailing Address Bloom Energy Corporate 1299 Orleans Drive Sunnyvale CA 94089 Generator's Phone: 408 203-8895		Att: Sam Ghezavat		Generator's Site Address (if different than mailing address) Bloom Energy plant #6 200 Christina Parkway Newark DE 19713				
6. Transporter 1 Company Name Maumee Express Inc.				U.S. EPA ID Number NJD986607380						
7. Transporter 2 Company Name VLS Recovery Services				U.S. EPA ID Number TXR000082015						
8. Designated Facility Name and Site Address US Ecology 3277 County Road 69 Robb Town TX 79380 Facility's Phone: 361 387-3518				U.S. EPA ID Number TXD069452340						
GENERATOR	9a. HM	9b. U.S. DOT Description (including Proper Shipping Name, Hazard Class, ID Number, and Packing Group (if any))			10. Containers		11. Total Quantity	12. Unit Wt./Vol.	13. Waste Codes	
					No.	Type				
	1	NA3077, hazardous waste, solid, n.o.s. (benzene), 9, PGIII			003 1	BA CM	3,600	P	D018 493H	
	2									
	3									
4										
14. Special Handling Instructions and Additional Information <div style="text-align: center;">1(E) 090089213-1 ERG # 171 Rev # V-717</div>										
15. GENERATOR'S/OFFEROR'S CERTIFICATION: I hereby declare that the contents of this consignment are fully and accurately described above by the proper shipping name, and are classified, packaged, marked and labeled/placarded, and are in all respects in proper condition for transport according to applicable international and national governmental regulations. If export shipment and I am the Primary Exporter, I certify that the contents of this consignment conform to the terms of the attached EPA Acknowledgment of Consent. I certify that the waste minimization statement identified in 40 CFR 262.27(a) (if I am a large quantity generator) or (b) (if I am a small quantity generator) is true.										
Generator's/Officer's Printed/Typed Name: David Demarco Signature: David Demarco Month: 11 Day: 13 Year: 15										
TRANSPORTER	16. International Shipments <input type="checkbox"/> Import to U.S. <input type="checkbox"/> Export from U.S. Port of entry/exit: _____ Transporter signature (for exports only): _____ Date leaving U.S.: _____									
	17. Transporter Acknowledgment of Receipt of Materials									
	Transporter 1 Printed/Typed Name: Gregory K. Burgess Signature: Gregory K. Burgess Month: 11 Day: 13 Year: 15 Transporter 2 Printed/Typed Name: Quinten Cesaro Signature: Quinten Cesaro Month: 11 Day: 14 Year: 15									
DESIGNATED FACILITY	18. Discrepancy									
	18a. Discrepancy Indication Space <input type="checkbox"/> Quantity <input type="checkbox"/> Type <input type="checkbox"/> Residue <input type="checkbox"/> Partial Rejection <input type="checkbox"/> Full Rejection The correct regulated code is outside of H for section 13 per Quinten Cesaro at VLS									
	Manifest Reference Number: _____									
	18b. Alternate Facility (or Generator) U.S. EPA ID Number: _____									
	Facility's Phone: _____									
18c. Signature of Alternate Facility (or Generator) Month: _____ Day: _____ Year: _____										
19. Hazardous Waste Report Management Method Codes (i.e., codes for hazardous waste treatment, disposal, and recycling systems)										
1. H302 2. _____ 3. _____ 4. _____										
20. Designated Facility Owner or Operator: Certification of receipt of hazardous materials covered by the manifest except as noted in Item 18a										
Printed/Typed Name: Dal Signature: Dal Month: 11 Day: 28 Year: 15										

DESIGNATED FACILITY TO DESTINATION STATE (IF REQUIRED)

UNIFORM HAZARDOUS WASTE MANIFEST		1. Generator ID Number DEP000002047	2. Page 1 of 12	3. Emergency Response Phone 800-833-8253	4. Manifest Tracking Number 014135605 JJK		
5. Generator's Name and Mailing Address Bloom Energy Corporate 1299 Orleans Dr. Sunnyvale CA 94089 Generator's Phone: 408 203-6885				Att Sam Ghezavat Generator's Site Address (If different than mailing address) JP Morgan Chase Bank NA (Bloom Energy Corporation) 500 Stanton Christina Road Newark DE 18713			
6. Transporter 1 Company Name Maumee Express Inc.				U.S. EPA ID Number NJ0988007380			
7. Transporter 2 Company Name VLS Recovery Services				U.S. EPA ID Number TXR000082015			
8. Designated Facility Name and Site Address US Ecology 3277 County Road 69 Robs Town TX 78380 Facility's Phone: 361 387-3518				U.S. EPA ID Number TXD069452340			
GENERATOR	9a. HM	9b. U.S. DOT Description (including Proper Shipping Name, Hazard Class, ID Number, and Packing Group (if any))	10. Containers		11. Total Quantity	12. Unit Wt./Vol.	13. Waste Codes
			No.	Type			
		1 NA3077, Hazardous Waste, solid, n.o.s.(benzene),9, PGIII	001	BA	1200	P	D018
		2.	1	CM			493H
		3.					
		4.					
14. Special Handling Instructions and Additional Information Box # U-517 1(E) 0900 89/29-0 ERG # 171							
15. GENERATOR'S/OFFEROR'S CERTIFICATION: I hereby declare that the contents of this consignment are fully and accurately described above by the proper shipping name, and are classified, packaged, marked and labeled/placarded, and are in all respects in proper condition for transport according to applicable international and national governmental regulations. If export shipment and I am the Primary Exporter, I certify that the contents of this consignment conform to the terms of the attached EPA Acknowledgment of Consent. I certify that the waste minimization statement identified in 40 CFR 262.27(a) (if I am a large quantity generator) or (b) (if I am a small quantity generator) is true.							
Generator's/Offeror's Printed/Typed Name Jenny Saller				Signature 		Month Day Year 11/13/15	
INTL	16. International Shipments <input type="checkbox"/> Import to U.S. <input type="checkbox"/> Export from U.S. Port of entry/exit: Date leaving U.S.:						
	Transporter signature (for exports only):						
TRANSPORTER	17. Transporter Acknowledgment of Receipt of Materials						
	Transporter 1 Printed/Typed Name Gregory K. Burress				Signature 		Month Day Year 11/13/15
	Transporter 2 Printed/Typed Name Quinten CAZARES				Signature 		Month Day Year 11/14/15
DESIGNATED FACILITY	18. Discrepancy						
	18a. Discrepancy Indication Space <input type="checkbox"/> Quantity <input type="checkbox"/> Type <input type="checkbox"/> Residue <input type="checkbox"/> Partial Rejection <input type="checkbox"/> Full Rejection The correct regulatory code is out of 409H for section 13 per Quinten CAZARES at VLS #18						
	Manifest Reference Number:						
	18b. Alternate Facility (or Generator) U.S. EPA ID Number						
	Facility's Phone:						
	18c. Signature of Alternate Facility (or Generator) Month Day Year						
	19. Hazardous Waste Report Management Method Codes (i.e., codes for hazardous waste treatment, disposal, and recycling systems)						
	1. H302	2.	3.	4.			
	20. Designated Facility Owner or Operator: Certification of receipt of hazardous materials covered by the manifest except as noted in item 18a						
	Printed/Typed Name Dale [Signature]				Signature 		Month Day Year 11/28/15

UNIFORM HAZARDOUS WASTE MANIFEST (Continuation Sheet)		21. Generator ID Number DEP000002047	22. Page 2	23. Manifest Tracking Number 014135605-21K		
24. Generator's Name Bloom Energy Coporate 1299 Orleans DR. Sunnyvale, CA 94089						
25. Transporter 3 Company Name BCG Resources		U.S. EPA ID Number TXR000080044				
26. Transporter 4 Company Name TTIM		U.S. EPA ID Number OKD981588791				
27a. HM	27b. U.S. DOT Description (including Proper Shipping Name, Hazard Class, ID Number, and Packing Group (if any))	28. Containers		29. Total Quantity	30. Unit Wt./Vol.	31. Waste Codes
		No.	Type			
	FOR TRANS ONLY					
32. Special Handling Instructions and Additional Information VIA VLS for Repacking						
DESIGNATED FACILITY	33. Transporter 3 Acknowledgment of Receipt of Materials					
	Printed/Typed Name JUNIOUS L. PURRY		Signature <i>Junious L. Purry</i>		Month Day Year 11 23 15	
TRANSPORTER	34. Transporter Acknowledgment of Receipt of Materials					
	Printed/Typed Name Whit Davis Jr		Signature <i>Whit Davis Jr</i>		Month Day Year 11 28 15	
DESIGNATED FACILITY	35. Discrepancy					
DESIGNATED FACILITY	36. Hazardous Waste Report Management Method Codes (i.e., codes for hazardous waste treatment, disposal, and recycling systems)					

